

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Paul Joseph Martinage

v.

Civil No. 16-cv-00245-PB

Nancy A. Berryhill, Acting
Commissioner, Social Security
Administration

O R D E R

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated April 20, 2017, deny defendant's motion to affirm (doc. no. 15), grant plaintiff's motion to reverse (doc. no. 10), and I remand this matter to the Acting Commissioner for further proceedings, pursuant to sentence four of 42 U.S.C. § 405(g). The clerk is directed to enter judgment in accordance with this order and close the case. "[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'" School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice,

failure to file a specific objection to magistrate's report will waive the right to appeal).

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

Date: May 11, 2017

cc: Counsel of Record